



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

February 1, 2022

VIA ECF

Hon. Ronnie Abrams
United States District Judge
United States District Court
40 Foley Square, Room 2203
New York, New York 10007

Re: *Yuan v. Jaddou, No. 21 Civ. 10150 (RA)*

Dear Judge Abrams:

This Office represents the government in this action in which the plaintiff seeks an order compelling U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate his Application to Register Permanent Residence or Adjust Status (Form I-485) filed with USCIS on September 8, 2020. On behalf of the government, I write respectfully to request an on-consent extension of 46 days to respond to the complaint currently due February 3, 2022 (*i.e.*, from February 3 to March 21, 2022). If the Court grants the requested extension, I also respectfully request that the initial conference presently scheduled for February 11, 2022, be adjourned to a date at least one week after the new date for the government’s response (*i.e.*, to March 28, 2022, or thereafter).

The extension and adjournment are respectfully requested because the parties are discussing a potential resolution of this case. The government respectfully submits that USCIS’s adjudication of the plaintiff’s Form I-485, which was filed less than 17 months ago, is not unreasonably delayed given that published agency processing times are currently 19 months to 46.5 months (meaning that 50% of similarly situated applicants are receiving an adjudication within 19 months and 93% of similarly situated applicants are receiving an adjudication within 46.5 months). Nevertheless, the plaintiff has recently requested expedited treatment of his Form I-485 by filing an application to expedite with USCIS, a process which has recently become available to Form I-485 applicants. The application for expedition may require the plaintiff to take certain follow-up actions that, in turn, may allow this Office potentially to facilitate a decision on that application. The parties anticipate that the requested extension will allow them time to engage in this process. The government may move to dismiss if the parties are unable to reach a resolution (for example, if USCIS determines that the plaintiff’s application for expedition does not merit a favorable exercise of discretion).

This is the government’s first request for an extension of the deadline to respond to the complaint and first request for an adjournment of the initial conference. The plaintiff consents to these requests.

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I thank the Court for its consideration of this letter.

Respectfully submitted,

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cc: Counsel of record (via ECF)

Application granted. The conference originally scheduled for February 11 is hereby adjourned to April 8, 2022 at 10:30 a.m. This conference will be held via telephone. The parties shall use the following dial-in information to call in to the conference: Call-in Number: (888) 363-4749; Access Code: 1015508. This conference line is open to the public.

SO ORDERED.


Hon. Ronnie Abrams
2/2/22